

Important information for Dependants living in Korea concerning the Status of Forces Agreement and Visa Requirements

What is the Status of Forces Agreement (SOFA)?

The SOFA is an agreement between the Republic of Korea (ROK) and the United States (U.S.) which reflects the rights and obligations of the two parties and specifies the status of U.S. personnel stationed in Korea. The SOFA is based on the principle of mutual respect. In return for ROK respect, U.S. rights, and the numerous valuable protections afforded for U.S. Servicemembers and their dependents, we are required to respect the law of the ROK and abstain from activities contrary to the spirit or the letter of the SOFA.

Who is covered by the SOFA?

All members of the U.S. Armed Forces on active duty and their dependants (whether the are command sponsored or not), U.S. civilians who are in the employ of, serving with, or accompanying the U.S. Armed Forces in Korea and their dependents. The SOFA also protects certain "invited contractors" and their dependents.

As a SOFA member, do I need to obey Korean Laws?

Yes. It is the duty of USFK personnel subject to the SOFA to respect the laws of the ROK and to abstain from any activity inconsistent with the letter or spirit of the SOFA.

Why do I need a Sofa & Visa Stamp?

The Status of Forces Agreement (SOFA) between the U.S. and the Republic of Korea (ROK) requires dependents of the U.S. Armed Forces, DOD Civilians and other civilian components and their dependents to have their presence verified by the authorities of the ROK. Once verified, a SOFA stamp will be stamped in the passport by a Korean Immigration Office.

Visas

Active-duty U.S. military personnel may enter the Republic of Korea under the Status of Forces Agreement (SOFA) with proper Department of Defense (DOD) identification and travel orders. Americans must keep their visa status current with Korean Immigration. Violators of immigration and entry/exit regulations are subject to fines; i.e., if foreigners overstay their visas they must pay substantial fines. The lowest fine is usually about 100,000 won for an overstay of 30 days or less.

All foreigners residing in Korea must have a passport with a Visa (there is an exception for active-duty military). Dependants, DOD Civilians, DODDS School teachers, and Contractors working with the U.S. Military are usually granted A-3 Visas. The A-3 Visa allows the visitor to stay through a determined period of time (DEROS) and allows multiple entries into and out of Korea. If you come to Korea without a Visa, you have

30 days from the day you enter the country to obtain one. This can be done at the same time the passport is submitted to obtain the SOFA Stamp.

Children born in Korea need to obtain Visas and other pertinent documentation, and be reported to Korean Immigration within 30 days of birth. American Citizens should also report the birth of a child to the U.S. Embassy in Seoul to secure your child's first passport and report of birth

What is Status of Forces Agreement (SOFA) verification seal a.k.a. SOFA Stamps?

The SOFA verification seal is commonly referred to as the SOFA Stamp. The purpose of this seal is to verify that the bearer of this passport, while in Korea, is subject to the SOFA and is exempt from ROK laws and regulations on the registration and control of aliens in Korea. It is necessary for all DOD Civilians, Contractors, and all dependents (military and civilian, command sponsored or not) to have a SOFA stamp in their passport. In addition to being necessary, it is also in your best interest to have one. The SOFA provides an umbrella of protection not provided to other foreigners living in Korea. In order to obtain one, the passport holder must have or be eligible for an A-3 Visa. Spouses who are not American citizens but are military or civilian dependants are eligible for SOFA Status.

What is the SOFA Card and why do I need it?

All USFK personnel who arrive in Korea are given a SOFA Card designed to assist them in the event they become involved with Korean law enforcement officials. All USFK personnel should ALWAYS carry their SOFA Card.

Can I work in Korea (i.e. teach English)?

Working on-post does not require a work visa. In order to work off post in Korea, you must first obtain the appropriate employment visa. The Korean government tightly controls visa issuance for employment, and sometimes teachers have been unable to obtain visas.

What about Basic Allowance for Housing (BAH)?

Soldiers are required to update their entitlement to BAH when their dependants relocate or their status changes. Please ensure the zip code is where your dependant resides, It is BAH fraud for a soldier to claim that their spouse is living in the United States if they are residing in Korea. If you have a question about BAH entitlements please contact a legal assistance attorney or finance.